IN THE CLAIMS

Please amend the claims as follows:

Claim 1. (Currently Amended) A lithium secondary battery, comprising:

a positive electrode, a negative electrode, and a nonaqueous electrolytic solution ~~containing~~ comprising an electrolyte salt dissolved in a nonaqueous solvent, wherein

said positive electrode comprises a material including a lithium compound oxide,

~~in that~~ said negative electrode comprises a material including graphite, and ~~in that~~

said nonaqueous electrolytic solution comprises 0.01 to 10 % by weight of dialkyl oxalate and further comprises 0.01 to 20 % by weight of vinylene carbonate and/or 0.01 to 20 % by weight of 1,3-propanesultone, each based on the weight of said nonaqueous electrolytic solution.

Claim 2. (Previously Presented) The lithium secondary battery according to claim 1, wherein the alkyl group of said dialkyl oxalate has 1 to 12 carbon atoms.

Claim 3. (Canceled)

Claim 4. (Previously Presented) The lithium secondary battery according to claim 1, wherein said nonaqueous solvent is a combination of a cyclic carbonate with a linear carbonate or a combination of a cyclic carbonate with a lactone.

Claim 5. (Currently Amended) The lithium secondary battery according to claim ~~1 or 2~~ 4, wherein said linear carbonate comprises methyl ethyl carbonate.

Claim 6. (Previously Presented) The lithium secondary battery according to claim 1, wherein said nonaqueous solvent is a combination of propylene carbonate with dimethyl carbonate, a combination of ethylene carbonate with methyl ethyl carbonate, a combination

of ethylene carbonate with diethyl carbonate or a combination of ethylene carbonate with γ-butyrolactone.

Claim 7. (Previously Presented) The lithium secondary battery according to claim 1, wherein said graphite has a lattice spacing (d_{002}) of the lattice face (002) of 0.340 nm or less.

Claim 8. (Currently Amended) The lithium secondary battery according to claim 1, wherein the positive electrode active material is a lithium compound metal oxide showing an open circuit voltage of at least 4.3 V on the basis of Li ~~basis~~ after completion of charging.

Claim 9. (Currently Amended) A nonaqueous electrolytic solution for a lithium secondary battery comprising a positive electrode and a negative electrode, and comprising an electrolyte salt dissolved in a nonaqueous solvent, wherein said nonaqueous electrolytic solution comprises 0.01 to 10 % by weight of dialkyl oxalate and further comprises 0.01 to 20 % by weight of vinylene carbonate and/or 0.01 to 20 % by weight of 1,3-propanesultone, each based on the weight of said nonaqueous electrolytic solution.

Claim 10. (New) The lithium secondary battery according to claim 1, wherein the electrolyte salt is $LiPF_6$, $LiBF_4$, $LiClO_4$, lithium salts containing linear alkyl groups, $LiN(SO_2CF_3)_2$, $LiN(SO_2C_2F_5)_2$, $LiC(SO_2CF_3)_3$, $LiPF_4(CF_3)_2$, $LiPF_3(C_2F_5)_3$,$LiPF_3(CF_3)_3$, $LiPF_3(iso\text{-}C_3F_7)_3$, and $LiPF_5(iso\text{-}C_3F_7)$ or lithium salts having a cyclic alkylene group or $(CF_2)_2(SO_2)_2NLi$ or $(CF_2)_3(SO_2)_2NLi$.

Claim 11. (New) The lithium secondary battery according to claim 1, wherein the positive electrode comprises a positive lithium compound on an electron conductive material.

Claim 12. (New) The lithium secondary battery according to claim 11, wherein the positive lithium compound is $LiCoO_2$, $LiMn_2O_4$, $LiNiO_2$, $LiCo_{1-x}Ni_xO_2$ ($0.01<x<1$), or a mixture of $LiCoO_2$ with $LiMn_2O_4$, a mixture of $LiCoO_2$ and $LiNiO_2$ or a mixture of $LiMn_2O_4$ and $LiNiO_2$.

Claim 13. (New) The lithium secondary battery according to claim 11, wherein the electron conductive material is a natural graphite, an artificial graphite, acetylene black, ketjen black, channel black, furnace black, lamp black or thermal black.

Claim 14. (New) The lithium secondary battery according to claim 1, wherein the negative electrode material is lithium metal, a lithium alloy, a carbon material, thermally decomposed carbon material, a coke, a graphite, fired organic polymer, carbon fibers, tin or tin compounds and silicon or silicon compounds.

Claim 15. (New) The lithium secondary battery according to claim 1, wherein the battery further comprises a separator that has a porosity of 30 to 60 %.

Claim 16. (New) The lithium secondary battery according to claim 1, wherein the battery further comprises a separator that has an air permeability of 50 to 1000 seconds/100 cc.

Claim 17. (New) The lithium secondary battery according to claim 1, wherein the battery further comprises a separator that has a thickness of 5 to 50 μm.

Claim 18. (New) The lithium secondary battery according to claim 1, wherein the thickness of an electrode layer of the positive electrode ranges from 30 to 120 μm.

Claim 19. (New) The lithium secondary battery according to claim 1, wherein the thickness of an electrode layer of the negative electrode ranges from 1 to 100 μm.

Claim 20. (New) The lithium secondary battery according to claim 1, wherein the density of the positive electrode formed as a positive electrode mixture layer on an aluminum foil is 3.2 to 4.0 g/cm^3, and wherein the density of the negative electrode formed as a negative electrode mixture layer on a copper foil is 1.3 to 2.0 g/cm^3.